

## **ZONING COMMITTEE**

### **MINUTES**

**SEPTEMBER 30, 2009**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, September 30, 2009 at 11:29 a.m., in Committee Room #2**

**The Honorable Ivory L. Young, Jr., Chair**  
**The Honorable Natalyn M. Archibong, Vice-Chair**  
**The Honorable Anne Fauver**  
**The Honorable Carla Smith**  
**The Honorable C. T. Martin**

The following members were absent:

**The Honorable Mary Norwood**  
**The Honorable Howard Shook**

Others present at the meeting were: Zoning Administrator Charletta Wilson-Jacks, Department of Planning and Community Development; City Attorney Jeffrey Haymore, Law Department; media, public and council staff.

Chairman Ivory L. Young, Jr. called the meeting to order at 11:29 a.m. after declaring a quorum present. He then proceeded with the following order of business.

- A.    ADOPTION OF MINUTES - ADOPTED**
- B.    APPROVAL OF MINUTES - APPROVED**
- C.    ZRB SUMMARY REPORT - SEE ATTACHED LIST**

### **CONSENT**

#### **D.    ORDINANCES FOR FIRST READING**

- 09-O-1697 ( 1)**    An Ordinance by Zoning Committee granting a Special Use Permit for a Personal Care Home pursuant to Section 16-06.005 (l)(g) for property located at **350 Schoen Street, SE** fronting approximately 108.5 feet on the north side of Schoen Street at the southwest corner of the intersection of Schoen Street and Charleston Avenue.
- U-09-16**

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**ORDINANCES FOR FIRST READING (CONT'D)**

Depth: Approximately 170 feet  
Area: 0.42 acre  
Land Lot: 39, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Annie L. Barber  
Applicant: Annie L. Barber

**NPU-Y**

**Council District 1**

**TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

09-O-1698 ( 2)  
**Z-09-32**

An Ordinance by Zoning Committee to rezone property from the R-5 (Single Family Residential) District to the MR-3 Multi-Family Residential) District, property located at **100 Hutchinson Street, NE**, fronting approximately 141 feet on the east side of Hutchinson Street beginning 21.23 feet from the southeast corner of LaFrance Street.

Depth: Approximately 54 feet  
Area: 0.192 acre  
Land Lot: 209, 15<sup>th</sup> District, DeKalb County, Georgia  
Owner: Steven Scott West  
Applicant: Steven Scott West

**NPU-O**

**Council District 5**

**TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

09-O-1699 ( 3)  
**Z-09-33**

An Ordinance by Zoning Committee designating the Imperial Hotel, located at **355 Peachtree Center Avenue, NE**, Land Lot 50, of the 14<sup>th</sup> District of Fulton County, Georgia and certain real property on which it is located, to the overlay Zoning Designation of Landmark Building of Site pursuant to Chapter 20 of the Zoning Ordinance of the City of Atlanta and Rezoning from SPI-1 (SA1)/HBS (Special Public Interest District-1, Subarea 1/Historic Building or Site) to SPI-1 (SA1)/LBS (Special Public Interest District-1, Subarea 1/Landmark Building or Site); to repeal conflicting laws; and for other purposes.

**TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

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**E. ORDINANCE FOR SECOND READING**

- 09-O-1628 ( 1)  
**U-97-3**      An Ordinance by Zoning Committee to amend Ordinance U-97-3, as adopted by the City Council on June 1, 2009 and approved by the Mayor on June 9, 2009, for the purposes of approving a transfer of ownership for a Special Use Permit for a Day Care Center for property located at **862 Hollywood Road, NW**; and for other purposes.  
**(Councilmember Fauver made a motion to approve.)**

**FAVORABLE**

**F. PAPERS HELD IN COMMITTEE**

- 06-O-0273 ( 1)      An Ordinance by Councilmembers Carla Smith, Ivory Lee Young, Jr. and Cleta Winslow correcting Ordinance Number 04-O-0179/Z-04-24 which amended Section 16-29.001(16) "Human Services" including Personal Care Homes, Rehabilitation Centers and Nursing Homes by clarifying and/or redefining certain terms; and for other purposes.  
**(Held 2/1/06 for further review)**
- 06-O-0007 ( 2)  
**Z-05-65**      An Ordinance by Councilmember Carla Smith **as amended by Zoning Committee** to rezone the portion of the property located at **1821 W. Anderson Avenue** that is zoned R-4 (Single Family Residential) to the O-I (Office Institutional) Classification, to issue a Special Use Permit for the subject property; and for other purposes. **(Held 6/28/06 at the request of Councilmember of the District)**
- 06-O-0022 ( 3)  
**U-05-22**      An Ordinance by Councilmember Carla Smith to issue a Special Use Permit for a Nursing Home at **1821 W. Anderson Avenue (a.k.a. 31 Anderson Avenue)**; to waive the 2,000 foot distance requirement for this location; and for other purposes. **(Held 6/28/06 at the request of Councilmember of the District)**

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### PAPERS HELD IN COMMITTEE (CONT'D)

- 06-O-0955 ( 4 )  
**Z-06-44**
- An Ordinance by Zoning Committee to rezone from the I-1-C (Light Industrial-Conditional) District to the MR5-A (Multi-Family Residential) District, property located at **1155 Hill Street, SE**, fronting approximately 350 feet on the west side of Hill Street and approximately 272 feet on the north side of Englewood Avenue. **(Held 11/1/06 at the request of District Council Person)**
- Depth: Varies  
Area: Approximately 8.719 Acres  
Land Lot: 55, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Jack and Harvey Taffel  
Applicant: Chaz E. Waters/Skyline Partners, LLC.  
**NPU-Y Council District 1**
- 06-O-1927 ( 5 )
- An Ordinance by Councilmembers Howard Shook, H. Lamar Willis, Jim Maddox and Ceasar C. Mitchell **as substituted by Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta, As Amended, so as to create a New Chapter to be entitled, 8B, Fulton County Townhouse Residential; to establish design guidelines for said District; to enact, by reference and incorporation, a Map establishing the boundaries of said District for the Cascade Glenn; to amend the City of Atlanta Zoning Maps; to modify the zoning process for annexations; and for other purposes. **(Forwarded with no recommendation by Zoning Committee 9/13/06) (Referred back by Council 12/04/06) (Held 12/13/06 for further review)**
- 06-O-1445 ( 6 )  
**Z-06-74**
- An Ordinance by Zoning Committee to rezone from the R-G-3 (Residential General-Sector 3) District to the PD-MU (Planned Development-Mixed Use) District, property located at **3700 Martin Luther King, Jr. Drive, SW**, fronting approximately 474.25 feet on the south side of Martin Luther King, Jr. Drive beginning approximately 183 feet from the southwest corner of Adamsville Drive. **(Held 5/2/07 at the request of Councilmember of the District)**
- Depth: Varies  
Area: Approximately 27 Acres  
Land Lot: 15, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Atlanta Neighborhood Development Partnership  
Applicant: Marvin Greer  
**NPU-H Council District 10**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

06-O-1888 ( 7)      An Ordinance by Community Development/Human  
**CDP-06-65**      Resources Committee to amend the Land Use Element of the  
City of Atlanta's 2004-2019 Comprehensive Development  
Plan (CDP) so as to re-designate property located at **3700**  
**Martin Luther King, Jr. Drive, SW**, from the "Medium  
Density Residential" Land Use Designation to the "Mixed-  
Use" Land Use Designation; and for other purposes. (**Public**  
**Hearing held 9/11/06**) (**Filed by CD/HR Committee**  
**11/27/07**) (**Held 5/2/07 at the request of**  
**Councilmember of the District**)

**NPU-H**

**Council District 1**

07-O-2594 ( 8)      An Ordinance by Councilmember Kwanza Hall requesting  
that Chapter 28A.010 of the Code Ordinances, the Sign  
Ordinance, Subsection (12) Special Public Interest District 1  
(Central Core) District of the City of Atlanta Zoning  
Ordinance be waived to allow for the construction of two (2)  
Signs at 100 Auburn Avenue, NE; and for other purposes.  
(**Held 12/12/07**)

06-O-2697 ( 9)      An Ordinance by Councilmember Carla Smith to amend  
**Z-06-144**      Chapter 28 of Part 16 of the Atlanta City Land Development  
Code to provide for density increases in exchange for  
affordable workforce housing; to define certain terms; to  
provide limitations and requirements; and for other  
purposes. (**Held 1/30/08**)

07-O-2527 (10)      A **Substitute** Ordinance **as amended** by Zoning Committee  
**Z-07-113**      to rezone from the I-1-C (Light Industrial-Conditional)  
District to the MRC-3 (Mixed Residential Commercial)  
District, property located at **430 and 460 Englewood**  
**Avenue, SE**, fronting approximately 678 feet on the north  
side of Englewood Avenue beginning approximately 132 feet  
from the northeast corner of Mailing Avenue. (**Held**  
**4/29/09**)

Depth:      Approximately 1,010 Feet

Area:      Approximately 10.32 Acres

Land Lot:      42, 14<sup>th</sup> District, Fulton County, Georgia

Owner:      JWGST LLC/Joseph Wiles

Applicant:      Jason Fritz

**NPU-Y**

**Council District 1**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

08-O-1142 (15)    An Ordinance by Zoning Committee to rezone from the I-1  
**Z-08-38**            (Light Industrial)/BeltLine Overlay District to the R-4B  
                         (Single-Family Residential)/BeltLine Overlay District,  
                         property located **680 Drewry Street, NE**, fronting  
                         approximately 69.99 feet on the north side of Drewry Street,  
                         beginning 190 feet from the northwest corner of Ponce Place.  
                         **(Held 9/30/09)**

Depth:            Approximately 153 Feet

Area:             0.25 Acre

Land Lot:        17, 14<sup>th</sup> District, Fulton, County, Georgia

Owner:           Seven Homes, LLC.

Applicant:       William L. Stephenson

**NPU-F**

**Council District 6**

08-O-2125 (11)    A **Substitute** Ordinance by Zoning Committee to rezone from  
**Z-08-73**            the R-4 (Single Family Residential) and NC-2 (Neighborhood  
                         Commercial) Districts to the NC-2 (Neighborhood  
                         Commercial) District, property located at **1146 Portland**  
**Street, SE, 1152 Portland Street, SE, 1131 Glenwood**  
**Avenue, SE, 1137 Glenwood Avenue, SE 525/527**  
**Moreland Avenue, SE, 529 Moreland Avenue, SE, 535**  
**Moreland Avenue, SE and 537 Moreland Avenue, SE**  
                         fronting approximately 250 feet on the north side of Portland  
                         Avenue, approximately 300 feet on the west side of Moreland  
                         Avenue and approximately 250 feet on the south side of  
                         Glenwood Avenue. **(Held 5/27/09)**

Depth:            Varies

Area:             Approximately 1.75 Acres

Land Lot:        12, 14<sup>th</sup> District, Fulton County, Georgia

Owner:           George Rohrig

Applicant:       Joseph Alcock

**NPU-W**

**Council District 1**

**SUMMARY REPORT**  
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<b>LEGISLATION NUMBER FAVORABLE AS AMENDED</b>	<b>ZONING NUMBER</b>	<b>LOCATION (NPU/CD)</b>	<b>CHANGE</b>	<b>STAFF RECOMM.</b>	<b>NPU RECOMM.</b>	<b>ZRB RECOMM.</b>
08-O-1142	Z-08-38	674 and 680 Drewry Street, NE F-6	I-1 to MR-3-C	Approval Conditional	Approval Conditional	Approval Conditional
Councilmember Fauver made a motion to hold as amended. The vote was unanimous.						
09-O-0507	Z-09-08	4249 Dykes Drives and 417 Hillside Drive, NW A-8	R-2B to PD-H	Approval Conditional	Approval Conditional	Approval Conditional
Councilmember Fauver made a motion to approve as amended. The vote was unanimous.						
09-O-1306	U-09-13	645 Grant Street, SE W-1	Special Use Permit for a Day Care Center	Approval Conditional	Approval Conditional	Approval Conditional
Councilmember Smith made a motion to approve as amended. The vote was unanimous.						
09-O-1384	U-09-14	254 Club Place and 2560 Alston Drive, NE O-5	Special Use Permit for a Private Club	Approval Conditional	Approval Conditional	Approval Conditional
Councilmember Archibong made a motion to approve as amended. The vote was unanimous.						
<b><u>FAVORABLE</u></b>						
09-O-1076	Z-09-26	Storage Facilities	Text Amendment	Approval	See Worksheet	Approval
Councilmember Archibong made a motion to approve. The vote was unanimous.						

**SUMMARY REPORT**  
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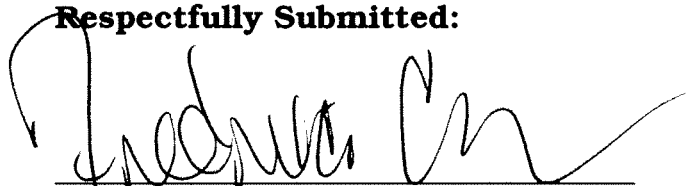
<b>LEGISLATION NUMBER</b>	<b>ZONING NUMBER</b>	<b>LOCATION (NPU/CD)</b>	<b>CHANGE</b>	<b>STAFF RECOMM.</b>	<b>NPU RECOMM.</b>	<b>ZRB RECOMM</b>
<b><u>FILE</u></b>						
09-O-0992	Z-09-21	1551 Perry Boulevard, NW G-9	1-2 to RG-3	File	Denial	File
Councilmember Fauver made a motion to file. The vote was unanimous.						
09-O-0995	U-09-10	2708 Altaview Drive, SE Z-12	Special Use Permit for a Day Care Center	File	Approval Conditional	File
Councilmember Fauver made a motion to file. The vote was unanimous.						



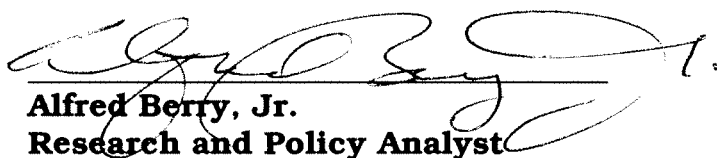
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**There being no further business to come before the Committee, the meeting was adjourned at 11:40 a.m.**

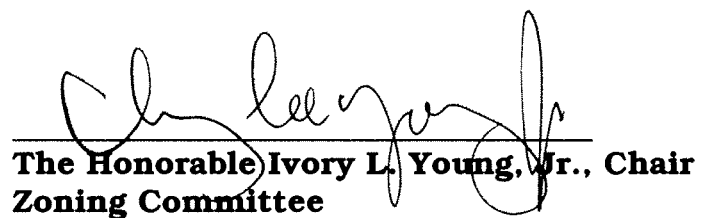
**Respectfully Submitted:**



**Fredrica Cooper for Angela H. Campbell  
Legislative Assistant**



**Alfred Berry, Jr.  
Research and Policy Analyst**



**The Honorable Ivory L. Young, Jr., Chair  
Zoning Committee**